



## **Library of Congress Shutdown Furlough Plan September 25, 2013**

### **Table of Contents**

1. Functions to be continued or suspended
2. Personnel needed to meet ongoing obligations
3. Facilities operations that will or will not be affected
4. Status of existing contracts
5. Communications to staff
6. Reporting on the first day of shutdown furlough
7. Primary contacts

#### **Appendix 1 Status of Library of Congress Services During a Shutdown Furlough**

#### **Appendix 2 Support Operations During a Shutdown Furlough**

#### **Appendix 3 Draft Memorandum Re: Review of Existing Contracts**

#### **Appendix 4 Draft Memorandum of Understanding – Shutdown Furlough in the Event of a Lapsed Appropriation**

#### **Appendix 5 Communications to Staff – Activities and Timeline**

- A. Draft Special Announcement 13-03, "Government Shutdown Furlough – Frequently Asked Questions"
- B. Draft Memorandum to Excepted Employees, "Designation as Excepted Employee"
- C. Draft Email to All Staff, "Update - Library Funding Status"
- D. Draft Special Announcement 13-04, "Notice of Lapsed Appropriations, Library Shutdown and Furlough"
- E. Draft Email to Shutdown Furloughed Employees, "Furlough Notification"  
-- Attached SF-8, "Notice to Federal Employee of Unemployment Insurance"

#### **Appendix 6 Shutdown Furlough Responsibilities of Service Units**

## **1. FUNCTIONS TO BE CONTINUED OR SUSPENDED**

In the event that appropriations for FY2014 are not available either through an enacted appropriations bill for the Legislative Branch or a continuing resolution, the Library of Congress will operate at a significantly reduced scale and will only provide excepted services as described in this plan.

### **Services That Will Be Provided**

- The Library will support Congress in the performance of its Constitutional duties and will provide for the protection of life and property.
- The Library will also perform functions supported by non-appropriated funds,<sup>1</sup> effectuate an orderly shutdown of Library operations, and support essential systems required by Congress or the Library's excepted staff.<sup>2</sup>

### **Services That Will Not Be Provided**

- All functions other than those described above.

Those services that will either continue or that will be suspended by the Office of the Librarian, the Office of the Inspector General, and the Library's six service units during an appropriations lapse are described in further detail in **Appendix 1**.

## **2. PERSONNEL NEEDED TO MEET ONGOING OBLIGATIONS**

The Library has identified 178 FTEs that will be needed to meet ongoing obligations in the event of a shutdown resulting from an appropriations lapse. In some instances, two or more staff will rotate assignments to ensure continuity of service delivery and will thus share an FTE. In addition, some staff may be deemed as excepted on an as-needed basis and will report for duty if conditions require their presence. These staff do not appear in the FTE totals noted above.

---

<sup>1</sup> Library fee-based activities and revolving fund programs (FEDLINK, FRD, CAP, retail sales, photoduplication, A-V duplication, special events, and decimal classification) are subject to annual appropriations under 2 U.S.C. § 132a-1 and are not covered by this exception, even though the funds involved are "no-year" funds.

<sup>2</sup> Excepted staff perform functions in one of the following categories that may continue even during a lapse in annual appropriations: 1) support of the Congress in performance of its Constitutional duties; 2) emergencies involving the safety of human life or the protection of Government property; 3) short-term actions for an orderly shutdown of agency operations; and 4) functions that do not depend on the annual appropriations process because they are funded with gift or trust funds. In addition, information technology and other support that is directly required for the continuation of these four excepted categories will continue.

### 3. FACILITIES OPERATIONS

The following are key facilities operations elements:

- All buildings will be closed to the public.
- The United States Capitol Police will check the identities of all excepted staff and authorized contractors entering Library buildings.
- During core hours, excepted staff and authorized contractors will enter/exit through the James Madison Building C Street doors or the Madison parking garage. Outside of core hours, excepted staff and authorized contractors will enter through the Jefferson Building Southeast door. The Taylor Street Annex and Landover Center Annex (GSA -leased facilities) will be closed and staff may not enter these facilities, except as needed at the Landover facility for essential mail service support.
- The Library will provide limited food and custodial services.
- As needed, support and protection of facilities will be provided by the Architect of the Capitol and security guard services.
- The Madison loading dock will remain open to accept Pitney Bowes Government Services (PBGS) deliveries of mail and packages directed to the Law Library and CRS. Items received will be delivered to Law and CRS daily. PBGS will also deliver items cleared by the Congressional Acceptance Site for Law and CRS, and will assist with loading dock operations.
- PBGS will transport other mail packages, including copyright materials, for temporary secure storage at the Landover facility. As noted above, Library staff will provide daily access to Landover and will assist with essential mail support, including off-loading and materials handling. When normal operations resume, the mail and packages will be returned to the Madison Building for final distribution.
- The Library's Health Services Office will provide emergency medical care and first aid.

More detail on support operations that will be available during a shutdown furlough is found at **Appendix 2**.

### 4. STATUS OF EXISTING CONTRACTS

As a general rule, Library contracts will be suspended (i.e., partial termination for convenience) unless they are: (a) necessary to support Congress' exercise of its Constitutional functions; (b) necessary to support emergency functions; (c) fully funded and the work is not performed at a Library facility, does not require interaction with Library

staff, and does not require deliverables during the shutdown furlough period; (d) or funded with gift or trust funds, where the performance period is subject to specific time constraints. The Office of Contracts and Grants Management will assist service units' review of existing contracts, using the above criteria. A memorandum describing the elements of review of existing contracts during a shutdown can be found as **Appendix 3**.

## **5. COMMUNICATIONS TO STAFF**

The Library will issue a Special Announcement to staff that will provide answers to frequently-asked questions concerning an appropriations lapse and shutdown furlough. This announcement will cover shutdown furloughs and exceptions from shutdown furlough; pay and benefits; leave, travel, and training; access to Library facilities, systems, and services; and notice of returning to work. Excepted personnel will be notified of their excepted status by individual memorandum. The Library will also provide a full briefing for the presidents of the Library's three bargaining units (CREA, AFSCME Local 2477, and AFSCME Local 2910) on shutdown furlough policies and procedures and will negotiate a memorandum of understanding regarding the shutdown furlough of employees. The memorandum to be presented to the unions for negotiations can be found at **Appendix 4**. General emails to all employees (both excepted and non-excepted) and updates to the Library's information phone line will keep employees informed as to the Library's operating status. Communications can be found at **Appendix 5**.

## **6. REPORTING ON THE FIRST DAY OF SHUTDOWN FURLOUGH**

In the event a shutdown furlough occurs, excepted employees will report to their respective work locations on the morning of the shutdown furlough to continue to perform their excepted duties. Non-excepted employees will be allowed to enter Library buildings to conduct orderly shutdown activities, including, for example, receiving an electronic shutdown furlough notice, adjusting voicemail and email to reflect current working status, rescheduling official activities, and validating time and attendance records. Non-excepted employees may report for up to a half-day (only up until noon) on the morning of the shutdown furlough to conduct these activities.

## **7. PRIMARY CONTACTS**

The following are primary Library contacts during a shutdown furlough:

- Librarian of Congress
- Deputy Librarian of Congress
- Chief, Support Operations

- Director for Human Resources
- Chief Financial Officer
- General Counsel
- Budget Officer
- Director, Congressional Relations
- Director of Communications

## APPENDIX 1

### STATUS OF LIBRARY OF CONGRESS SERVICES DURING A SHUTDOWN FURLOUGH

#### OFFICE OF THE LIBRARIAN (18 FTEs)

SERVICES PERFORMED	SERVICES NOT PERFORMED
<p>In the immediate Office of the Librarian, the Librarian, Deputy Librarian and excepted staff will provide guidance and support to the Library.</p> <p>In the Congressional Relations Office, excepted staff will support Congressional inquires relative to Congress performing its Constitutional duties.</p> <p>In the Office of the Chief Financial Officer, excepted staff will respond to questions from the Appropriations Committees of Congress on the appropriations process.</p> <p>In the Office of Communications, excepted staff will serve as the main spokesperson for the Library and provide Emergency Communications.</p> <p>In the Office of Contracts, excepted staff will ensure an orderly suspension of contracts and provide related contractual support.</p> <p>In the Office of the General Counsel, excepted staff will provide legal functions in support of shutdown operations.</p> <p>In the World Digital Library, work will continue since gift and trust funds are the funding source for this program.</p>	<p>All other services will not be performed, including development; special events and special programs; strategic planning; accounting; and disbursing.</p>

## OFFICE OF THE INSPECTOR GENERAL (1 FTE)

SERVICES PERFORMED	SERVICES NOT PERFORMED
Excepted staff will be available to respond to essential investigations requirements.	All other investigative and audit services will not be performed.

## CONGRESSIONAL RESEARCH SERVICE (89 FTEs)

SERVICES PERFORMED	SERVICES NOT PERFORMED
Excepted staff will be available to support Congress in the performance of its constitutional duties. Additional staff may be designated as excepted based on congressional need, and some excepted staff may rotate responsibility in covering issue areas.	<p>The CRS Senate Center, Jefferson Congressional Reading Room and Rayburn Research Center will not be staffed.</p> <p>Infrastructure support services will not be performed, except for those activities strictly limited to providing direct support to excepted staff.</p>

## U.S. COPYRIGHT OFFICE (7 FTEs)

SERVICES PERFORMED	SERVICES NOT PERFORMED
<p>Excepted staff will continue to provide direct support to Congress on copyright-related policy, legislative and administrative matters.</p> <p>Subject to network and other systems support provided by ITS, the Copyright Office will keep its eService registration portal open so that filers may secure the earliest possible effective date of registration on claims filed. Incoming paper application submissions will also be date marked.</p>	<p>Copyright registrations and documents for recordation will not be processed and certificates of registration and recordation will not be issued.</p> <p>No certified copyright applications will be issued to support litigation or validate rights of ownership.</p> <p>The public will not have access to copyright information either online, in the office of public record, or through the phone bank.</p> <p>Licensing services would not be performed.</p>

## LAW LIBRARY (11 FTEs)

SERVICES PERFORMED	SERVICES NOT PERFORMED
<p>Excepted staff will provide guidance and support to the Law Library, such as sustaining relevant information systems within the Law Library. The Office of the Law Librarian will also provide oversight of direct congressional support, including the management of congressional inquiries and responses.</p> <p>The Law Library will comply with its statutory mandate to provide time-sensitive support to Congress when it is in session.</p> <p>The Law Library will designate excepted staff in its divisions to work on a rotating schedule by week and will staff the Law Library Reading Room whenever Congress is in session (including evening and weekend hours).</p> <p>Foreign law specialists and other research analysts will be designated to work only on an as-needed basis.</p>	<p>All services unrelated to overseeing direct congressional support will not be performed, including non-congressional legal research and reference services; collections acquisitions, maintenance, organization, preservation; and access services will not be performed.</p>

## LIBRARY SERVICES (6 FTEs)

SERVICES PERFORMED	SERVICES NOT PERFORMED
<p>In the offices of the Associate Librarian for Library Services and Administrative Services, excepted staff will ensure an orderly shutdown of Library Services operations.</p> <p>In Collections Access, Loan, and Management, excepted staff will provide loans of requested text materials to Congress. In Geography and Map, Congressional Cartography Program, excepted staff will ensure continuity of services to Congress. In Serial and Government Publications, excepted staff will locate and provide requested government publications and periodicals to Congress.</p>	<p>All other services will not be performed, including acquiring digital and physical materials for the Library's collections; making the collections accessible to researchers; providing leadership, policy, standards and training nationally and internationally; directing services to publishers and libraries; developing the collections in all languages, subjects, and formats; organizing and managing the secure storage of 138 million items; providing on- and off-site reference/information services; providing exhibitions, publications, building tours, and public programs; and preserving the Library's collections, other than the</p>



In Preservation, designated members of the Preservation Emergency Response Team will hold pagers and respond to emergency incidents that place collections at risk according to established notification procedures.

In Conservation, designated members of the Top Treasures Team will respond to calls from the Police Command Center in the event of an alarm sent by the Conservation secure storage facility automated relay systems according to established notification procedures. In Preservation Research and Testing, excepted staff will respond to automated email alerts that suggest environmental readings for the Waldeseemueller display case are out of acceptable ranges and will respond when conditions are warranted.

In Automation Planning and Liaison Office, excepted staff will provide automation support if needed.

emergency services previously discussed.

All revolving fund activities such as public requests for duplication and delivery services for audio- visual collections; Cooperative Acquisitions Program for acquiring library materials for U.S. libraries; public requests for document reproduction (photocopy, photographic, and digital) and microfilming services; cost- effective training and centralized procurement for more than 125 federal agencies/bureaus; and gift shop retail sales for Library visitors will not be performed.

## **OFFICE OF SUPPORT OPERATIONS (16 FTEs)**

SERVICES PERFORMED	SERVICES NOT PERFORMED
<p>In the Office of the Chief, excepted staff will direct and supervise excepted agency-wide support operations and oversee an orderly shutdown.</p> <p>In Human Resources Services, excepted staff will serve as the agency point of contact for shutdown activities, support essential payroll processing, and, as needed, extend vacancy announcements.</p> <p>In Integrated Support Services, excepted staff will protect property, provide oversight of essential continuing contracts, operate loading dock and receiving services (e.g., accept and store mail/packages at Landover), provide a basic level of medical care and first aid, and as needed, provide material handling and</p>	<p>All other services will not be performed, including staffing and recruitment, position classification, leave and benefits administration, personnel action processing, retirement and employee assistance counseling, training and development, performance management, labor relations, employee relations, convener and mediation services, complaints acceptance, records management, printing services, safety services, workers' compensation program administration, and non-excepted facilities services, logistics, security and emergency preparedness.</p>

contract support.

In the Office of Opportunity, Inclusiveness, and Compliance, excepted staff will provide Interpreting services on an as-needed basis.

In the Office of Security and Emergency Preparedness, excepted staff will serve as management's liaison to the United States Capitol Police for urgent security and emergency matters, manage emergency and life-safety contingencies affecting on-duty Library staff at Library buildings and annexes, and address all physical security, electronic security, and access control issues affecting Library Capitol Hill and annex buildings.

### **OFFICE OF STRATEGIC INITIATIVES (30 FTEs)**

<b>SERVICES PERFORMED</b>	<b>SERVICES NOT PERFORMED</b>
In Information Technology Services, excepted staff will maintain the Library's operational security; provide database administration for LIS, THOMAS, Congress.gov and other core systems, provide core support for the Library's financial system; maintain voice and network equipment; implement security upgrades; and provide basic systems engineering services for the Madison, Alternate Computing Facility, and Culpeper data centers.	All other services will not be performed, including digital content services to include Web content capture, content archiving, and Web-based user access services; maintaining, expanding, and adapting the Library's technology infrastructure; maintaining the public website; and providing phone operator services for the public.

## APPENDIX 2

### SUPPORT OPERATIONS DURING A SHUTDOWN FURLOUGH

#### BUILDING ACCESS AND PARKING

Capitol Hill Buildings: Monday through Friday, access to all Library buildings will be through the Madison Building C Street West entrance (Yellow Core near Metro). Hours: 6:00 AM - 9:45 PM. On Saturday and Sunday, enter through the Madison Building Second Street entrance 6:00 AM - 6:00 PM. Outside of these core hours, enter through the Jefferson Building Southeast door.

#### Parking Garage

Holders of parking permits may enter the Madison garage with their vehicles from Second Street, and enter the building through the garage. Hours: Monday through Saturday, 6:00 AM - 9:45 PM.

#### ELEVATORS

The Green and Red Core elevators in the Madison Building will not be in service. All other elevators in the Madison, and elevators in the Jefferson and Adams Buildings will be operational.

#### RESTROOMS

Only restrooms in the Blue Core of the Madison Building will be open. In the Jefferson Building, restrooms serving the USCP (cellar level) will be open.

#### MAIL SERVICE

Mail and packages to LAW and CRS will be received and delivered daily. Items cleared by the Congressional Acceptance Site for LAW and CRS will also be delivered. Pitney Bowes will transport all other mail and packages, including copyright materials, for temporary secure storage at the Landover Center Annex. When normal operations resume, the mail and packages will be returned to the Madison Building for final distribution.

#### CUSTODIAL SERVICES

Madison Building: Limited custodial services will be provided 8:00 AM - 5:00 PM Monday through Saturday. Staff must transport trash to central bins at the Blue Core elevators.

Jefferson Building: Custodial service will be limited to USCP cellar restrooms 8:00 AM - 5:00 PM Monday through Saturday. Staff must transport trash to a central drop location at the "T" intersection of the tunnels.

Adams Building: No custodial service. Staff must transport trash to a central drop location at the "T" intersection of the tunnels.

#### FOOD SERVICE

Limited food service will be available in Madison 6th Floor Cafeteria during the hours 7:00 AM - 10:30 AM and 11:00 AM - 3:30 PM. All other locations closed.

#### HEALTH SERVICES

The Library's Health Services Office will provide basic medical care and first aid as necessary.

## APPENDIX 3

### DRAFT MEMORANDUM RE: REVIEW OF EXISTING CONTRACTS

UNITED STATES GOVERNMENT

*Office of Contracts and Grants Management*

*The Library of Congress*

## *Memorandum*

**DATE:** September 23, 2013

**TO:** Distribution

**FROM:** Acting Director

**SUBJECT:** Review of Essential Contract Support Services

Funding for FY 2013 expires on September 30, 2013. If there is a lapse in the Library's appropriations, consideration must be given to limiting contracts and consultants to those most critical to the Library's mission in accordance with LCR 2012-4. This involves a partial termination of the contract during the period that work is suspended.

Contracts meeting one of the following criteria may not require suspension during a lapse in appropriation:

1. Necessary to support Congress in the performance of its constitutional functions;
2. Funded with gift, trust funds, or no-year appropriations where the performance period is subject to specific time constraints (e.g., Kluge scholars or other fellows who receive funding from non-Library sources pursuant to an agreement with the Library);
3. Necessary to support the safety of human life or the protection of property; or
4. Fully funded work not being performed at a Library facility with no Library staff interaction and no deliverables during the shutdown period.

Service Units should review all their contracts and identify those that should be suspended and the reason for this action. Please send me your annotated spreadsheet with this information, with a copy to OCGM and your Service Unit supervisor no later than September 26, 2013.

## APPENDIX 4

### DRAFT MEMORANDUM OF UNDERSTANDING – SHUTDOWN FURLOUGH IN THE EVENT OF A LAPSED APPROPRIATION

#### Memorandum of Understanding Shutdown Furlough in the Event of a Lapsed Appropriation during FY2014

The Library acknowledges that in the event of a lapsed appropriation, it will except employees from furlough consistent with the Anti-Deficiency Act (31 U.S.C. §§ 1341-1350).

This agreement is made the \_\_\_\_\_ day of September 2013 by and between the Library of Congress (the Library) and AFSCME Local 2477 (the Employees' Union), AFSCME Local 2910 (the Guild), and the Congressional Research Employees Association (CREA) (the Unions).

#### Introduction

1. Any shutdown furlough conducted as a result of a lapsed appropriation will be implemented fairly and equitably in accordance with Library of Congress Regulation (LCR) 2021-4 to the extent such provisions are applicable to a lapsed appropriation furlough, as well as any other applicable laws, rules, regulations, and applicable negotiated agreements. Consistent with LCR 2021-4, Section 10 the Library's decision to furlough an individual employee may not be grieved, and it is not subject to arbitral review. Alleged procedural violations of LCR 2021-4 and of this MOU may be grieved.
2. The effect of the lapsed appropriation shutdown furlough on leave, retirement coverage, life insurance coverage and enrollment, unemployment compensation, injury compensation, travel, and creditability of service are explained in LCR 2021-4. [create hyperlink]
3. The Unions enter into this MOU with the Library covering a shutdown furlough of employees due to a government shutdown necessitated by lapsed appropriations during FY2014. By executing this MOU the Unions do not waive or limit the statutory or other rights of their bargaining unit employees. By executing this MOU the Unions do not waive their rights to negotiate over any furloughs for reasons other than lapsed appropriations, or lapsed appropriation furloughs beyond the remainder of FY2014, or over any subsequent changes to bargaining unit employees'

conditions of employment that result from the Congressional budgeting process and that are not covered by any collective bargaining agreement or Library of Congress regulation. By executing this MOU the Library does not waive any management rights found in law, regulation, or collective bargaining agreement provision, including the right to determine who will be furloughed and for how long. To the extent any provision of this MOU is determined to be inconsistent with any applicable provision in LCR 2021-4, the provision in the LCR will prevail.

#### Implementing a Shutdown Furlough

4. The Library will follow LCR 2021-4 with respect to notifying the Unions of a shutdown furlough and notifying employees of their status (furlough or excepted).
  - a. The Library will provide employees who are furloughed contact information to apply for unemployment compensation, including an SF-8.
  - b. The Library intends to issue a general Special Announcement in the event appropriations lapse and employees are furloughed.
  - c. The Library intends to allow employees to report to their assigned duty station on the morning following the lapse in appropriations in order to receive notice of the furlough and to conduct an orderly shutdown. Employees will receive instructions regarding the activities they should conduct in order to engage in an orderly shutdown.
  - d. The Library intends to send shutdown furloughed employees a group-list email indicating that they are furloughed consistent with the special announcement. In this email the Library will provide employees who are furloughed contact information to apply for unemployment compensation, including an SF-8. The Library will notify employees who are furloughed of the impact of a shutdown furlough on their benefits.
  - e. The Library intends to notify employees who are excepted via individual memorandum or email.
  - f. The unions will receive a list of employees who have been notified they are excepted.
5. If management determines that more than one employee is equally capable of performing the same excepted functions, management will consider rotating employees during a lapsed appropriation shutdown furlough unless such rotation would interfere with a legitimate business need.

6. A lapsed appropriation furlough shall not be used to punish or disadvantage any employee. A lapsed appropriation furlough will not be used in lieu of an adverse or disciplinary action.
7. Based on mission requirements and consistent with applicable Library of Congress regulations and collective bargaining agreement provisions, management will determine whether an employee who is excepted from a shutdown furlough must report to the duty station on a day that has previously been approved for telework.
8. Shutdown furlough days will be treated the same as approved leave for purposes of performance standards and/or requirements.
9. Employees will perform no work for the Library while on shutdown furlough and will not be provided any work-related assignments or instructions while on shutdown furlough; however, employees on shutdown furlough may be contacted by the Library to advise them that their status has changed to “excepted” and they are expected to report to work. The Library will not normally change an employee’s status to excepted without speaking directly to the employee. The Library will provide employees whose status is changed to excepted a memorandum as described in provision 4.e. of this agreement, when they report to work.
10. The Library will inform employees how they can access and print their WebTA and NFC records (through the Employee Personal Page) to document reductions in hours worked and pay due to a shutdown furlough.
11. When a lapse in appropriations ends, all shutdown furloughed employees will return to duty for their next scheduled tour, consistent with LCR 2021-4, Section Seven.

#### Compensation and Awards

12. The Library will comply with all applicable laws, rules, and regulations with respect to compensation for employees who are required to work during a lapsed appropriation shutdown furlough.
13. Any retroactive pay for employees who were shutdown furloughed due to a lapse in appropriations will be determined by law and applicable regulation.
14. Bonuses and performance awards that received final approval by HRS and have been transmitted to NFC for processing prior to a lapse in appropriations will be paid when the Library has sufficient appropriated funds.

15. The Library will provide employees with information on how they can adjust their income tax withholding and how they can change their Combined Federal Campaign contribution rates.

#### Union Access to Library During Shutdown Furlough

16. During a lapsed appropriation shutdown furlough, up to two designated furloughed union representatives from each union may access their union offices in the Madison Building and equipment to volunteer service to their union and bargaining unit employees; this is not Library-paid "official time." Within one day of the signing of this Agreement each union will provide to the Library the names of its two representatives to be granted access under this provision. Union officials who are excepted may not use official time while in an excepted status.

#### Annual and Sick Leave

17. In the event of a lapsed appropriation shutdown furlough, any previously approved annual leave will be cancelled. Employees who are advised that they are excepted from the shutdown furlough will be instructed to report to work. Employees who are not excepted from the shutdown furlough will remain absent from work during the shutdown furlough.
18. Upon the expiration of the lapsed appropriation shutdown furlough, employees who were on approved annual leave that did not extend beyond the end of the lapsed appropriation shutdown furlough will be required to report back to duty.
19. Employees whose annual leave is cancelled due to a lapsed appropriation shutdown furlough may reschedule that leave upon expiration of the lapsed appropriation shutdown furlough, consistent with applicable law, regulations and collective bargaining agreement provisions.
20. If law and/or government-wide regulation permits employees who were unable to reschedule "use or lose" annual leave that was cancelled due to a lapsed appropriation shutdown furlough to carry over more than 240 hours to the next leave year, the Library will so notify employees and the unions.
21. In the event of a lapsed appropriation shutdown furlough, employees on approved sick leave on the effective date of the lapsed appropriation will have their sick leave canceled. Employees who are excepted will be furloughed for the period of time they would have been on sick leave. Employees who are not excepted will be permitted to remain absent from work in shutdown furlough status for the duration



of the lapsed appropriation shutdown furlough. Upon the expiration of the lapsed appropriation shutdown furlough, employees who were on approved sick leave that did not extend beyond the end of the lapsed appropriation will be required to report back to work unless their medical status precludes them from doing so.

22. If an employee's medical status precludes him or her from reporting to work upon the expiration of the lapsed appropriation shutdown furlough, the employee must request sick leave in accordance with applicable procedures.
23. Lapsed appropriation shutdown furlough days do not count against Family and Medical Leave Act (FMLA) absences and entitlement.

#### Miscellaneous

24. Employees may accept outside employment during a lapsed appropriation shutdown furlough consistent with Section nine of LCR 2021-4 and LCR 2023-3.
25. Life Insurance and Health Insurance enrollment and contributions will be addressed per the terms of LCR 2021-4.
26. The Library will send an email to employees within two business days of the signing of this agreement reminding them of the resources that the Employee Assistance Program (EAP) provides, including credit counseling. EAP will not be available during a lapsed appropriation shutdown furlough.
27. The Library has provided the Unions with FAQs that will be posted on the OGC website. Should any changes or additions to the FAQs occur, the Unions will be notified in advance.

For the Library

---

For the Employees' Union

---

For the Guild

---

---

For CREA

---

---

## APPENDIX 5

### COMMUNICATIONS TO STAFF – ACTIVITIES AND TIMELINE

**Assumption:** Based on media and other reports, a shutdown appears likely on October 1, 2013. Activities and dates may be revised, should additional information become available.

ACTIVITY	RESPONSIBLE OFFICES & ESTIMATED DATE
1. Issue Special Announcement 13-03, "Government Shutdown – Frequently Asked Questions".	<ul style="list-style-type: none"> <li>HRS sends FAQs to HCBP and shares them with the unions on <b>September 23</b></li> <li>OGC posts FAQs on its website on <b>September 25</b>, issues via email, and provides copy to the Print Shop by 2 pm on <b>September 25</b>;</li> <li>Print Shop distributes paper version on <b>September 26</b></li> </ul>
2. Inform excepted staff that they have been so designated.	<ul style="list-style-type: none"> <li>HRS provides memoranda to each service unit, and each service unit presents memoranda to excepted employees, on <b>September 27</b>, also informing them of any schedule changes.</li> <li>HRS provides list of excepted employees to the unions on <b>September 30</b></li> </ul>
3. Provide list of all staff and contractors requiring access to Library buildings beginning the morning of October 2. (Note: list not included here.)	<ul style="list-style-type: none"> <li>HRS provides list to USCP at noon on <b>September 30</b></li> </ul>
4. Update all staff about the Library's funding status.	<ul style="list-style-type: none"> <li>HRS issues notice via LC Staff News at noon on <b>September 30</b></li> </ul>
5. Issue Special Announcement 13-04, "Notice of Lapsed Appropriations, Library Shutdown and Furlough"	<ul style="list-style-type: none"> <li>OGC posts on LC website by 6:30 am on <b>October 1</b></li> </ul>
6. Provide notification to furloughed staff.	<ul style="list-style-type: none"> <li>PAO distributes to the furloughed employees e-mail group at 6:30 am <b>October 1</b></li> </ul>
7. Send daily status updates to furloughed staff. (Note: updates not included here.)	<ul style="list-style-type: none"> <li>PAO sends daily status update to the furloughed employees e-mail group beginning on <b>October 1</b></li> </ul>
9. Provide daily updates to the messages on the Library's general information and staff lines. (Note: updates not included here.)	<ul style="list-style-type: none"> <li>PAO provides daily updates beginning on <b>October 1</b></li> </ul>
10. Post daily updates on the kiosk in front of the Madison Building. (Note: updates not included here.)	<ul style="list-style-type: none"> <li>PAO posts daily updates beginning on <b>October 1</b></li> </ul>

## **APPENDIX 5.A**

### **DRAFT SPECIAL ANNOUNCEMENT 13-03, “FISCAL YEAR 2014 GOVERNMENT SHUTDOWN FURLOUGH – FREQUENTLY ASKED QUESTIONS”**

**No. 13-03**

**September 25, 2013**

#### **Subject: Fiscal Year 2014 Government Shutdown Furlough — Frequently Asked Questions**

The Library is closely monitoring the negotiations regarding the fiscal year 2014 federal budget. Currently, Government operations are funded through September 30, 2013. Like other agencies, the Library is making contingency plans for the possibility of a Government shutdown due to a lapse in appropriations after that date.

This special announcement answers frequently-asked questions about the rules that apply in a Government shutdown furlough and how they affect Library employees and operations. This announcement covers the following topics:

- Shutdown furloughs and exceptions
- Pay and benefits
- Leave, travel, and training
- Access to Library facilities, systems, and services
- Returning to work
- Resources for additional information.

In the event a shutdown furlough occurs, an additional special announcement will be issued that will provide more specific information and instructions.

The one major unknown with any potential Government shutdown furlough is how long it might last. All employees should be prepared, both personally and financially, for the possibility of not receiving any pay for the period of a shutdown furlough. Please remember that the Employee Assistance Program is available to you and will be accessible both before and after any shutdown period.

# Shutdown Furloughs & Exceptions

## 1. Why would the Government be shut down?

Under the Constitution, funding for Government operations is provided by the Congress through the appropriations process. Without an annual appropriations act or a short-term continuing resolution appropriation, there is no funding. Without funding to pay salaries and other expenses, Government operations must be suspended. Under the Anti-Deficiency Act (31 U.S.C. §§ 1341-1350), it is illegal for Government officials to spend money in the absence of appropriations.

## 2. Why am I not allowed to work?

Without appropriations, there is no money for salaries and so employees must be furloughed. When you are furloughed, you cannot be in any paid status – not on duty, on leave, or on travel.

## 3. May I volunteer to do my work anyway?

No. The Anti-Deficiency Act makes it illegal for the Government to accept your services as a volunteer.

## 4. Are there exceptions?

Yes. The United States does not shut down its military, law enforcement, veterans hospitals, air traffic controllers and other key activities. Under exceptions in the Anti-Deficiency Act, functions that fall into one of the following categories continue even during a lapse in annual appropriations:

- Support of the Congress in performance of its Constitutional duties;
- Emergencies involving the safety of human life or the protection of Government property;
- Short-term actions for an orderly shutdown of agency operations (e.g., processing payroll, suspending contracts); and
- Functions that do not depend on the annual appropriations process because they are funded with gift or trust funds or other no-year money.

In addition, information technology (IT) systems and other support that is directly required for the continuation of these four excepted categories will continue.

**5. Which Library functions and employees fall under the exceptions?**

The Executive Committee has determined which Library functions fall under the excepted categories and has identified staff that would be required to report to work to perform these functions. If a lapse in appropriation is likely, Library management will inform individual employees who are excepted from the shutdown furlough that they are required to report to work.

**6. What happens if I am not excepted?**

You will be furloughed. Furlough means you are still employed, but are placed in a non-pay, non-duty status.

**7. If I am excepted from the shutdown furlough, am I required to report for work?**

Yes. An excepted employee who refuses to report to work will be considered Absent Without Leave (AWOL). AWOL is misconduct and can be the basis for disciplinary action.

**8. May I work by telework?**

If you are not excepted from furlough, you may not telework during a shutdown.

If you are excepted from furlough, your supervisor will determine whether you will be authorized to telework or whether you must report to the Library.

**9. Do the programs that operate on fees fall under the exception for no-year money?**

No. While the fees that the Library receives for its reimbursable and revolving fund programs are not limited by fiscal year (i.e., they are “no year” money), under 2 U.S.C. § 132a-1, the Library’s ability to spend the money is controlled by the annual appropriations act. Therefore, during a shutdown due to a lapse in appropriations, activities funded by copyright fees and revolving fund fees are not excepted. Employees of these programs are not automatically excepted from shutdown furlough.

**10. How does a Government shutdown furlough affect employees of the Library's Overseas Field Offices?**

During a shutdown furlough, Library employees of the Overseas Field Offices would be furloughed or excepted in the same manner as other Library employees. The status of locally-hired employees will be governed by Department of State directives. The Library is coordinating with the Department of State to provide logistical information for Overseas Field Office employees. If you work in one of these offices, please contact your supervisor or the Acquisitions and Bibliographic Access Directorate.

## **Pay & Benefits**

**11. Will I be paid for work performed before the shutdown furlough period began?**

Yes. You will receive your pay as you normally do. If a shutdown furlough occurs, as part of orderly shutdown operations, the Library will ensure that time and attendance is validated and certified in the WebTA system.

**12. Will I be paid for the period of time that I am on shutdown furlough?**

The Library does not know the answer to that question at this time. The pay status of shutdown furloughed employees will be governed by actions the Congress may choose to take. In the past, Congress retroactively paid employees who were furloughed, but there is no guarantee that it will do so this year. The Library will continue to monitor the situation carefully and keep you informed.

**13. If I am excepted from the shutdown furlough, will I be paid for the time I work?**

The Library does not know the answer to that question at this time. The pay status of employees who are excepted from shutdown furlough will be governed by actions the Congress may choose to take. In the past, Congress retroactively paid employees who were excepted from shutdown furlough, but there is no guarantee that it will do so this year. The Library will continue to monitor the situation carefully and keep you informed.

**14. What happens to my health insurance during a shutdown furlough?**

Your health insurance benefits will continue during any furlough period covered by this announcement.

Under 5 C.F.R. 890.303(e), your coverage under the Federal Employees Health Benefits program continues for up to 365 days in nonpay status. If you are furloughed, the Library pays both the agency share and the employee share of your health insurance premiums. You must either repay the Library directly for the employee share the Library paid, or agree to have the amount deducted from your pay when you return to duty. You may choose to have the amount recovered in a lump sum or by deductions each pay period until the indebtedness has been paid. See the appendix to LCR 2021-4, "Policy and Procedures for Short-Term Furlough" and 5 C.F.R. 890.502 (b).

**15. May I file for unemployment compensation for the period during which I am furloughed?**

Yes. You may file in the jurisdiction where your official duty station is located, as shown below. Your entitlement to benefits will depend on the requirements of that jurisdiction. Eligibility information is available on the jurisdictions' websites, as follows:

- District of Columbia – Capitol Hill facilities and the Taylor Street Annex
- Maryland – Fort Meade and the Landover Center Annex
- Virginia – Packard Campus in Culpeper

Information is also available on the Department of Labor website.

In the event of a shutdown furlough, the Library will provide you with a completed SF-8, "Notice to Federal Employee About Unemployment Insurance" form to show that the Library of Congress is your employer and that you are temporarily in a nonpay status. You would submit this form along with any filing for unemployment compensation.

**16. If I am furloughed, may I take another job?**

Yes, provided the employment is consistent with the ethics requirements (including conflict of interest considerations) of LCR 2023-3, "Outside Activities and Employment."

**17. How does a Government shutdown and furlough affect workers compensation claims?**

You may not file a workers compensation claim under the Federal Employees Compensation Act (FECA) if you are injured while on shutdown furlough. If you are an excepted employee who is injured on duty, you may file when the funding hiatus ends.

If you are on continuation of pay (COP) related to a workers compensation claim, the Department of Labor has indicated that your payments will continue during a shutdown furlough.

## **18. How does a Government shutdown and furlough affect retirement?**

Retired employees will continue to receive their annuity payments during a shutdown furlough.

The effects of a furlough are the same for CSRS and FERS employees. Generally, there will be no effect on your high-three average unless a furlough causes you to be in nonpay status for more than six months during the calendar year.

If you notify the Library that you intend to retire during the shutdown furlough period, your retirement will be processed when the Library reopens, effective as of the date in your notice.

## **19. How does a furlough affect other calculations related to creditable service – probationary periods, within-grade increases, leave accrual, retirement eligibility, and so forth?**

For information on how a furlough period affects probationary periods, within-grade increases, leave accrual, retirement eligibility and other technical matters, see the attached appendix to LCR 2021-4, “Policy and Procedures for Short-Term Furlough” or technical information on these topics provided by the Office of Personnel Management (OPM) on its website.

## **20. How does a furlough affect other calculations and deductions related to benefits?**

For information on how a furlough period affects calculations and deductions for retirement, Thrift Savings Plan, health insurance, life insurance, and so forth, see the attached appendix to LCR 2021-4, “Policy and Procedures for Short-Term Furlough” or technical information on these topics provided by OPM on its website.



## **Leave, Travel & Training**

### **21. What happens if I am scheduled to be on annual leave, sick leave or other paid leave or compensatory time during a shutdown furlough?**

All paid leave and paid compensatory time is canceled during a Government shutdown. Furlough days are non-workdays and leave and compensatory time off cannot be granted on a non-workday.

Employees who are excepted from the shutdown furlough are expected to report to work. If you are an excepted employee with vacation plans or medical appointments that cannot be rescheduled, or you have a personal emergency, you should notify your supervisor and request to be placed on furlough.

### **22. What if I am scheduled to be on official travel?**

All travel is canceled during a Government shutdown, even if the travel is funded from gift funds or other non-appropriated sources. Furloughed employees may not be in duty status; excepted employees are required to be at work.

If you are on travel away from your official duty station when the Government shutdown occurs, you must return immediately. You must make the arrangements for your return travel through SATO at (866) 575-7286 or (800) 827-7777 (after hours) using your Government travel card.

### **23. What if I am scheduled to attend training?**

All training is canceled during a Government shutdown. Furloughed employees may not be in duty status; excepted employees must report to work.

## **Access to Library Facilities, Systems & Services**

### **24. May I come into the Library buildings during a shutdown?**

With the exception of the morning of October 1, 2013, all Library buildings will be closed to everyone except employees and contractors who are on a list of excepted personnel.

All employees are expected to conduct an orderly shutdown of their activities; you will receive more information about what these activities are. If you have not performed these shutdown activities before leaving on September 30<sup>th</sup>, you may enter Library buildings (through the James Madison Building C Street doors or the Madison parking garage) to

conduct these activities on the morning of October 1, 2013. You may not conduct orderly shutdown activities via telework on October 1<sup>st</sup>.

**25. Which entrance will be open for excepted employees and contractors?**

Excepted staff and authorized contractors will enter/exit all buildings during core hours through the James Madison Building C Street doors or the Madison parking garage. Outside of core hours, excepted staff and authorized contractors will enter through the Jefferson Building Southeast door.

Should an emergency situation arise in a Library building off of Capitol Hill, personnel who are excepted from the shutdown furlough to respond to the emergency will be directed how to access the building.

**26. Will the parking garage be open?**

The parking garage in the Madison Building will be open for excepted employees who have parking permits. Excepted employees who are members of a carpool may use the carpool parking spot even though other members of the carpool are furloughed. Excepted employees with regular parking in the Jefferson or Adams Buildings may park in the Madison Building during the shutdown period.

**27. Will the cafeteria be open?**

Yes, limited food service will be provided during a shutdown.

**28. Will the Library of Congress child care center be open?**

Yes, the Library has been informed that the Library of Congress Little Scholars Child Development Center will be open.

**29. Will the Library of Congress Federal Credit Union (LCFCU) be open?**

LCFCU's office in the Madison Building will be open to serve excepted employees. As always, LCFCU's administrative office at 8100 Professional Place, Hyattsville, MD, and all remote services will be available to serve all members. For up-to-the-moment information about the Credit Union's shutdown solutions, refer to the Credit Union [website](http://www.lcfcu.org) at [www.lcfcu.org](http://www.lcfcu.org) or contact it directly -- phone (202) 707-5852 or (800) 32-LCFCU or email [culine@lcfcu.org](mailto:culine@lcfcu.org).

### **30. May I access my Library email?**

You may check your email each day to obtain updated information about the Library's operational status. Other than this minimal use, however, you should not use your Library email account while on shutdown furlough.

If you are excepted from the shutdown furlough, you may continue to use your Library email for official business.

The Library has a two-factor authentication process for offsite access to Library email. Before any possible furlough, you may wish to review the instructions and ensure that your access is set up: [www.loc.gov/staff/its/two-factor-authentication.html](http://www.loc.gov/staff/its/two-factor-authentication.html).

### **31. May I use my Library-issued Blackberry, cell phone or other device?**

You may use your Library-issued device to obtain updated information about the Library's operational status. Other than this minimal use, however, you should not use your Library-issued device while on shutdown furlough.

If you are excepted from the shutdown furlough, you may continue to use Library-issued devices for official business.

### **32. If I am approved to telework, may I access the Library systems I use for my work?**

No, not while on shutdown furlough.

If you are excepted from the shutdown furlough and your supervisor has approved performing your work through telework, you may access the necessary Library systems.

### **33. May I use my transit subsidy (metrochek card, vanpool or other subsidy)?**

No, not while on shutdown furlough.

Excepted employees who use metrochek or other transit subsidies may continue to do so in order to report to work during a shutdown.

### **34. Will mail be delivered to the Library during a shutdown?**

The Library has been informed that the offsite mail screening facility will continue to operate during a shutdown. After screening, Library mail and packages – including

materials for Acquisitions and Copyright – will be delivered to the Landover Center Annex and held there. Mail for offices that are excepted from the shutdown will be delivered to the Madison Building on a daily basis.

## **Returning to Work**

### **35. How will I know when to return to work?**

When a continuing resolution or fiscal year 2014 appropriation for the Library of Congress has been approved, you will be expected to return to work on your next regular duty day.

You should monitor the news media and may check your Library email account each day for updated information about the Library's operating status. You may also call the Library's staff line at (202) 707-0972 or the general information line at (202) 707-5000. In addition, the Library will post updated information on entrances to the Madison Building and on the Madison Plaza kiosk.

## **Resources for Additional Information**

### **36. What if I have additional questions?**

If you have additional questions about operations in the event of a shutdown, please contact [askhr@loc.gov](mailto:askhr@loc.gov).

### **37. What are the URLs of the external websites mentioned in this announcement?**

Following are the URLs:

- Library of Congress Federal Credit Union: [www.lcfcu.org](http://www.lcfcu.org)
- Little Scholars Child Development Center:  
[www.littlescholars.org/component/option,com\\_frontpage/Itemid,1/](http://www.littlescholars.org/component/option,com_frontpage/Itemid,1/)
- OPM furlough information: [www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/](http://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/)
- Unemployment insurance information:
  - District of Columbia: [does.dc.gov/node/107072](http://does.dc.gov/node/107072)

- Maryland: [www.dllr.state.md.us/employment/unemployment.shtml](http://www.dllr.state.md.us/employment/unemployment.shtml)
- Virginia: [www.vec.virginia.gov/unemployed](http://www.vec.virginia.gov/unemployed)
- U.S. Department of Labor:  
[workforcesecurity.doleta.gov/unemploy/unemcomp.asp](http://workforcesecurity.doleta.gov/unemploy/unemcomp.asp)

**An Information Document to Accompany  
LCR 2021-4, “Policy and Procedures for Short-Term Furlough”  
(This information appears as an appendix to LCR 2021-4)**

Applicable laws and Office of Personnel Management regulations govern the effect of furlough on leave, retirement coverage, life insurance coverage and enrollment, health benefits coverage and enrollment, unemployment compensation, injury compensation, and creditability of service. The information here explains the principal provisions as they exist at the time this regulation is issued.

- A. Leave: Staff do not accrue annual or sick leave if they are in nonpay status for the entire pay period. They do accrue leave if they are in both pay and nonpay status during the pay period; however, when cumulative time in nonpay status reaches 80 hours during the leave year, the annual and sick leave balances are reduced by the number of hours accrued in a pay period (5 CFR 630.208). Part-time staff continue to earn leave based on the number of hours in pay status (LCR 2015-4).

Employees who have annual leave subject to forfeiture (“use or lose” leave) should make every effort to schedule their “use or lose” annual leave in writing before the end of the current leave year, so that if the leave is canceled because of an exigency of public business – namely, the need to furlough employees because of lack of funds – it may be considered for restoration.

- B. Retirement Coverage: In a consecutive furlough not exceeding 30 calendar days or in a discontinuous furlough, coverage continues without cost to the staff, provided the cumulative nonpay status within the calendar year does not exceed six months. Staff and Library contributions are adjusted each pay period in proportion to the basic salary received.

Generally, there will be no effect on an employee’s high-3 average unless the furlough causes the employee to be in a nonpay status for more than six months during the calendar year.

- C. Life Insurance Enrollment and Contributions: In a consecutive furlough, enrollment continues without cost to the staff member up to one year (5 CFR 870.401(c)). In a discontinuous furlough, enrollment continues. Staff and Library contributions continue if the salary of the pay period is sufficient to cover deductions. In determining the sufficiency of salary to cover withholdings, General Accounting Office<sup>★</sup> instructions for determining precedence must be followed. Any available

---

<sup>★</sup> The agency is now known as the Government Accountability Office.

salary shall be applied to staff member withholdings, and the Library's contribution is required.

- D. Health Benefits Enrollment and Contributions: In a consecutive furlough (30 calendar days or less) or in a discontinuous furlough, enrollment continues (5 CFR 890.303(e)). Staff and Library contributions continue if the salary in the pay period is sufficient to cover the full deduction. Otherwise, staff must either continue to pay for benefits during nonpay status or incur an indebtedness to the Library that will be collected either through double deductions (until the indebtedness has been paid) or in a lump sum upon return to duty. If a staff member does not return, the deduction will be taken from his/her retirement fund.
- E. Unemployment Insurance Compensation: A furloughed staff member may be eligible to receive unemployment compensation in the state in which employed for those weeks during which the staff member's income does not exceed the state's prescribed dollar limit or percentage of weekly unemployment insurance benefits. The Library will provide employees with information on filing an unemployment insurance claim.
- F. Injury Compensation: Disability compensation is paid only if staff are injured while performing their duties. Furloughed staff are not in a duty status for this purpose.
- G. Continuation of Pay (COP): Employees who are receiving COP because of job-related injuries are maintained on COP status during periods of furlough.
- H. Thrift Savings Plan: Employees may only make employee contributions and receive agency automatic (1%) and agency matching contributions while they are in a pay status. If the employee receives no basic pay for an entire pay period, no TSP employee and/or agency contributions are made for that pay period. If the employee receives some basic pay, employee contributions are made in accordance with TSP guidelines, and covered FERS employees receive the agency automatic (1%) contribution based on the actual basic pay received.
- I. Impact of Furlough on Creditable Service: The period of furlough is creditable as follows:
  - 1. Retirement: Nonpay status up to a total of six months each calendar year is creditable toward retirement (5 U.S.C. 8332(a)).
  - 2. Computation of annual leave accrual rate: Nonpay status up to a total of six months each calendar year is creditable toward computing annual leave accrual rates (5 U.S.C. 6303(a)).

3. Within-grade increases: General Schedule staff are allowed up to two weeks of nonpay status in steps 2, 3, and 4; up to four weeks in steps 5, 6, and 7; and up to six weeks in steps 8, 9, and 10. For Federal Wage System staff, see Federal Personnel Manual, Supplement 532-1, S8-5.
4. Severance Pay: Time spent on furlough is fully creditable as satisfying the 5 U.S.C. 5595(b) eligibility requirement for 12 months continuous service. Up to a total of six months each calendar year is creditable for computation of severance pay under 5 U.S.C. 5595(c). No severance pay may be collected while in furlough status.
5. Qualifying period: Nonpay status in excess of 20 workdays extends the qualifying period by an equal amount of time in pay status.
6. Career tenure: The first 30 days of each nonpay period is creditable service.
7. Time-in-Grade: For time-in-grade requirements, nonpay status is creditable



## APPENDIX 5.B

### DRAFT MEMORANDUM TO EXCEPTED EMPLOYEES, “DESIGNATION AS EXCEPTED EMPLOYEE”

#### MEMORANDUM

DATE September 26, 2013

TO \_\_\_\_\_  
FROM Librarian of Congress  
SUBJECT Designation as Excepted Employee

---

Congress currently is working on legislation to fund the Library of Congress and other Federal agencies. The current funding authority expires at 12:00 a.m. on October 1, 2013. If new funding authority is not enacted by then, the Library and other Federal agencies will be legally required to shut down most functions, and most employees will be furloughed (placed in a non-paid status).

I have asked the service unit heads to determine which functions under their direction are “excepted” under the law. Based on their assessments, you are identified as an employee who will be excepted from furlough and may be required to work. You should continue to work your regular schedule, unless otherwise notified of a change in schedule by your service unit. Should your work schedule be reduced or altered as a result of the lapse in funding, your service unit will inform you of the days and hours during the furlough you are required to work. Please note that on the days you are not scheduled to work, you will be considered on furlough.

Please contact your service unit, if you have further questions.

I greatly appreciate your patience during this situation, and value your continued dedication to fulfilling our mission to serve Congress under any and all circumstances.

## **APPENDIX 5.C**

### **DRAFT EMAIL TO ALL STAFF, “UPDATE - LIBRARY FUNDING STATUS”**

To: All Employees

From: LC Staff News

Subject: Update - Library Funding Status

Sent: Monday, September 30, 2013 12:00 PM

Congress continues to debate legislative options for funding federal agencies. We are closely monitoring the situation, but at this time there have been no new developments and the Library’s funding will expire at midnight tonight.

If you have been designated an excepted employee, you already received a memorandum from the Librarian and should proceed with the instructions provided.

If you have not been designated as excepted, and the Library’s appropriations lapse, you will be furloughed. You will receive confirmation of your furlough status via email. If you are not normally scheduled to work tomorrow, and have not been designated as excepted, please prepare for an orderly shutdown before you leave for the day today.

This includes putting an out of office message on your phone and email using the text below and validating your time and attendance. (However, no time and attendance records should be certified before October 6, 2013.) Other orderly shutdown activities include: canceling scheduled travel, training and meetings as directed; turning off computers and other equipment as directed; securing personal and work-related property, by locking up sensitive documents and removing any valuables; removing perishable food from office refrigerators, freezers, and desks; unplugging office coffee pots; and watering or removing any living plants from offices. If needed, you may report to work briefly tomorrow to complete any additional shutdown activities and to receive confirmation of your furlough status.

Employees should monitor the news media and check their Library email for updated information. Employees may also call the staff line at (202) 707-0972 or the Library’s general information line at (202) 707-5000.

Thank you.

Out of office message:

The Library will be closed until appropriations for fiscal year 2014 are enacted. Until the Library reopens, I will not have access to phone or email. For updates, please monitor the news or call the Library of Congress information line (202) 707-5000.

## **APPENDIX 5.D**

### **DRAFT SPECIAL ANNOUNCEMENT 13-04, “NOTICE OF LAPSED APPROPRIATIONS, LIBRARY SHUTDOWN AND FURLOUGH”**

#### **Subject: Notice of Lapsed Appropriations, Library Shutdown and Furlough**

The appropriation that funded Government operations through Monday, September 30, 2013 has expired and no new appropriations legislation has been enacted into law.

Therefore, effective today, Tuesday, October 1, 2013 the operations of the Library of Congress are shut down, with the exception of certain limited functions that will continue under law.

Library employees are furloughed unless they have been specifically designated by their service units as excepted personnel. Furloughed employees who have not already performed an orderly shutdown of their activities should complete those activities and depart work before noon today.

Excepted personnel are required to report to work in accordance with instructions provided by their service units.

When an appropriation for the Library of Congress has been enacted, Library operations will resume and furloughed employees will be expected to return to work on their next regular work day. Furloughed employees should monitor the news media and may check their Library email each day for updated information. Employees may also call the staff line at (202) 707-0972 or the Library’s general information line at (202) 707-5000.

We are all hopeful that we will be able to resume our important work together soon.

## APPENDIX 5.E

### **DRAFT EMAIL TO SHUTDOWN FURLOUGHED EMPLOYEES, “FURLOUGH NOTIFICATION” – ATTACHMENT: SF-8, “NOTICE TO FEDERAL EMPLOYEE OF UNEMPLOYMENT INSURANCE”**

To: Furloughed Employees

From: PAO

Subject: Furlough Notification

Sent: Tuesday, October 1, 2013 7:00 AM

Attachments: SA 13-03, SA 13-04, SF-8 Form

This email confirms that you are furloughed because of a lapse in the Library of Congress appropriations as explained in Special Announcement 13-04, “Notification of Lapsed Appropriation, Library Shutdown and Furlough.”

If you have not already done so, before noon today, please take appropriate actions to shut down your activities in an orderly fashion. For example, please: validate your time and attendance record; cancel scheduled travel and training as directed; turn off computers and other equipment as directed; activate an “out of office” email notification; update your voice mail message with out of office information; secure personal and work-related property, by locking up sensitive documents and removing any valuables; remove perishable food from office refrigerators, freezers, and desks; unplug office coffee pots; and water or remove any living plants from offices.

You should not report to work again until Congress has enacted and the President has signed new legislation funding the Library or you receive specific notice from the Library designating you as excepted from furlough.

Please note that this furlough action is a legal requirement and does not reflect on your work performance. If you have questions regarding the nature and impact of the furlough, please consult Special Announcement 13-03, “Government Shutdown – Frequently Asked Questions.”

Copies of Special Announcements 13-03 and 13-04 are attached to this email.

We understand that you may have questions that arise from creditors. This document serves as confirmation that: you are a government employee, you will not be receiving your regular paycheck, and any automatic deductions will not occur during the lapse in appropriations. Attached is a completed SF-8 Form, "Notice to Federal Employee About Unemployment Insurance" to be used if you are eligible for unemployment in the jurisdiction of your official duty station.

## APPENDIX 6

### SHUTDOWN FURLOUGH RESPONSIBILITIES OF SERVICE UNITS

---

#### Before a Shutdown

- Finalize all lists of excepted employees by September 24 and provide them to HRS (Note: Subsequent to that date, changes must be submitted to the Deputy Librarian of Congress for transmission to the USCP.)
- Distribute memoranda to employees designated as excepted (HRS will provide memoranda to the service units and advise them when memoranda should be distributed)
- Inform excepted employees of any schedule changes (To be done at the same time that memoranda are distributed)
- Address questions from employees regarding the basis for their designations, should such questions be raised (Following the distribution of the memoranda)
- Coordinate contracting issues with OCGM

#### During a Shutdown

- Inform HRS designated contact whenever “as needed” employees are designated as excepted
- Deliver memoranda to “as needed” employees subsequently designated as excepted and inform them of any schedule changes (HRS will provide memoranda to the service units)
- Coordinate contracting issues with OCGM